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In re Application of
Joshi, et al.
Application No. 09/295,663
Filed: April 21, 1999
Attorney Docket No. 20801-000720

OFFICE OF PETITIONS
DECISION ON PETITION

This is a decision on the petition filed on October 31, 2001, pursuant to 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to properly reply to the final Office action mailed March 28, 2001. This Office action set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on June 29, 2001. The instant petition precedes the mailing of a Notice of Abandonment.

With the instant petition, petitioner filed a Notice of Appeal (with fee) in reply to the final Office action, and met all other requirements for a grantable petition under 37 CFR 1.137(b).

Please be advised that the two-month period for filing an appeal brief in triplicate (accompanied by the fee required by 37 C.F.R. 1.17(c)), runs from the date of this decision.

Deposit Account No. 20-1430 has been charged the petition fee of \$640.00, as authorized, in addition to the fee of \$160.00 for the Notice of Appeal. However, the extension of time fee has not been charged. Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$460.00 extension of time fee submitted with the petition on October 31, 2001 was subsequent to the maximum period obtainable for reply (September 28, 2001), this fee was unnecessary.

The application file is being returned to Technology Center 1600.

Telephone inquiries specific to this decision should be directed to Petitions Attorney Cliff Congo at (703)305-0272.

for D Wood
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